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Application No. 10/717,098 1 of 2  
Terminal Disclaimer dated 22 December 2005  
Responsive to Office Action mailed on 1 December 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/717,098  
Inventor(s) : Donald Carroll Roe  
Filed : November 19, 2003  
Art Unit : 3761  
Examiner : Jacqueline F. Stephens  
Docket No. : 4981C2C  
Confirmation No. : 7301  
Customer No. : 27752  
Title : Disposable Absorbent Article Having Capacity to Store  
: Low-Viscosity Fecal Material

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING**  
**REJECTION OVER A PATENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The owner, The Procter & Gamble Company, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory terms of prior Patents Nos. 5,342,338, 6,414,215 and 6,680,422, as the terms of said prior patents are defined in 35 U.S.C. §154 and §173, and as the term of any of said prior patents is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 and §173 of any of the

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prior patents, as the term of said prior patent is presently shortened by any terminal disclaimer, in the event that said prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney or agent of record.

Authorization is given to charge Deposit Account No. 16-2480 for the fee required under 37 C.F.R. §1.20 (d) of \$130.00 for submission of this Terminal Disclaimer.

Respectfully Submitted,

THE PROCTER & GAMBLE COMPANY

By Michael P. Hayden  
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22 December 2005  
Customer No. 27752  
(Trmpdisc.doc)  
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